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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,434	02/10/2004	Peter S. Yang JR.	012.43208X00	1669
20457	7590	02/16/2006	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			STULTZ, JESSICA T	
			ART UNIT	PAPER NUMBER
			2873	

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/774,434

Applicant(s)

YANG, PETER S.

Examiner

Jessica T. Stultz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-16,18-21 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-16,18-21 and 23-25 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 3) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 and 4-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Block US 2005/0117229, herein referred to as Block '229, in view of Yang 5,999,336, herein referred to as Yang '336.

Regarding claims 1-2, Block '229 discloses a cardholder shaped fresnel magnifying lens (Section 34, wherein the magnifying lens is the size of a credit card and comprises a Fresnel lens, Figure 2) comprising a one-piece transparent plastic sheet having fresnel contour lines (Abstract and Sections 33-34, wherein the lens is made of a one-piece plastic sheet with fresnel lines) and configured as a pocket size rectangle-shaped cardholder with dimensions approximating a standardized card carried by a person (Section 34), wherein the rectangle-shaped cardholder has a fresnel viewing portion (Section 34), but does not specifically disclose that the cardholder has a pair of J-shaped tracks along parallel edges for slipping on and off one or more standardized cards, the pair of tracks are formed of folded tab-like extensions of the one-piece plastic sheet at a pair of opposing edges of the rectangle shaped cardholder. Yang '336 teaches of a cardholder made of plastic configured as a rectangle-shaped cardholder with dimensions approximating a standardized card carried by a person, wherein the cardholder comprises a pair of J-shaped tracks along parallel edges for slipping on and off one or more standardized cards, the pair of tracks are

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formed of folded tab-like extensions of the plastic sheet at a pair of opposing edges of the rectangle shaped cardholder (Column 3, lines 21-55 and Claims 1, 4, and 10, wherein the plastic base plate "20" comprises J-shaped tracks "14" formed from the same material as the base plate "20" for slipping on and off of cards) for the purpose of providing easy insertion and removal of cards from the cardholder device (Column 3, lines 21-55). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the cardholder shaped fresnel magnifying lens of Block '229 to further include a pair of J-shaped tracks along parallel edges for slipping on and off one or more standardized cards, the pair of tracks are formed of folded tab-like extensions of the one-piece plastic sheet at a pair of opposing edges of the rectangle shaped cardholder since Yang '336 teaches of a cardholder made of plastic configured as a rectangle-shaped cardholder with dimensions approximating a standardized card carried by a person, wherein the cardholder comprises a pair of J-shaped tracks along parallel edges for slipping on and off one or more standardized cards, the pair of tracks are formed of folded tab-like extensions of the plastic sheet at a pair of opposing edges of the rectangle shaped cardholder for the purpose of providing easy insertion and removal of cards from the cardholder device.

Regarding claim 4, Block '229 and Yang '336 disclose and teach of a cardholder shaped fresnel magnifying lens as shown above, but do not specifically disclose that the fresnel contour lines are stamped on either side of the one-piece plastic sheet. However, it is well known in the art of fresnel lenses for the contour lines to be stamped onto a plastic sheet for the purpose of forming properly spaced contour lines to ensure optimal magnification properties. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was

made for the fresnel contour lines of the cardholder shaped fresnel magnifying lens of Block '229 and Yang '336 to be stamped on either side of the one-piece plastic sheet since it is well known in the art of fresnel lenses for the contour lines to be stamped onto a plastic sheet for the purpose of forming properly spaced contour lines to ensure optimal magnification properties.

Regarding claim 5, Block '229 and Yang '336 disclose and teach of a cardholder shaped fresnel magnifying lens as shown above, and Block '229 further discloses that the one-piece plastic sheet is formed of a thermoplastic material (Abstract and Sections 33-34, wherein the lens is made of a one-piece plastic sheet with fresnel lines) coated on either side thereof, except for the lens viewing portion of the rectangle-shaped cardholder, with an opaque finish (Sections 34-36, wherein the cardholder is coated with opaque indicia around the edges, Figures 9-15).

Regarding claim 7, Block '229 and Yang '336 disclose and teach of a cardholder shaped fresnel magnifying lens as shown above, and Block '229 further discloses that the lens viewing portion covers a rectangle-shaped area having its elongated sides extending parallelly to the edge of the cardholder (Sections 13-14 and 33-36, wherein the viewing portion extends parallelly to the edge of the cardholder, Figures 2-15).

Regarding claim 8, Block '229 and Yang '336 disclose and teach of a cardholder shaped fresnel magnifying lens as shown above, and Block '229 further discloses that the one-piece has an opaque finish at either side thereof, except for the lens viewing portion (Sections 34-36, wherein the cardholder is coated with opaque indicia around the edges, Figures 9-15), but does not specifically disclose that the fresnel contour lines are stamped on either side of the one-piece plastic sheet. However, it is well known in the art of fresnel lenses for the contour lines to be stamped onto a plastic sheet for the purpose of forming properly spaced contour lines to ensure

optimal magnification properties. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the fresnel contour lines of the cardholder shaped fresnel magnifying lens of Block '229 and Yang '336 to be stamped on either side of the one-piece plastic sheet since it is well known in the art of fresnel lenses for the contour lines to be stamped onto a plastic sheet for the purpose of forming properly spaced contour lines to ensure optimal magnification properties.

Regarding claims 9 and 11, Block '229 and Yang '336 disclose and teach of a cardholder shaped fresnel magnifying lens as shown above, and Yang '336 further teaches that the tracks are J-shaped and provided at one of the pair of parallel edges of the rectangle-shaped cardholder (Column 3, lines 21-55 and Claims 1, 4, and 10, wherein the plastic base plate "20" comprises J-shaped tracks "14" formed from the same material as the base plate "20" for slipping on and off of cards, Figure 1) and that the cardholder contains a cutaway at one or both of the other pair of opposing edges of the rectangle-shaped cardholder to enable easy removal of a card from the rectangle-shaped cardholder (Column 3, lines 21-55, wherein the cutaways are "18", Figure 1) for the purpose of providing quick and easy insertion and removal of cards from the cardholder device (Column 3, lines 21-55). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the cardholder shaped fresnel magnifying lens of Block '229 to further include a pair of J-shaped tracks at one of the pair of parallel edges of the rectangle-shaped cardholder and that the cardholder contains a cutaway at one or both of the other pair of opposing edges of the rectangle-shaped cardholder to enable easy removal of a card from the rectangle-shaped cardholder since Yang '336 teaches of a cardholder made of plastic configured as a rectangle-shaped cardholder with dimensions approximating a

standardized card carried by a person, wherein the cardholder comprises a pair of J-shaped tracks at one of the pair of parallel edges of the rectangle-shaped cardholder and that the cardholder contains a cutaway at one or both of the other pair of opposing edges of the rectangle-shaped cardholder to enable easy removal of a card from the rectangle-shaped cardholder for the purpose of providing quick and easy insertion and removal of cards from the cardholder device.

Regarding claims 6 and 10, Block '229 and Yang '336 disclose and teach of a cardholder shaped fresnel magnifying lens as shown above, and Block '229 further discloses that the size, shape, and position of the viewing portion is determined on the basis of the level of viewing desired, although limited by the surface dimensions of the rectangle-shaped cardholder (Sections 13-14 and 33-36, wherein the size, shape and position of the viewing portion is adjusted, but limited by the dimensions of the cardholder, Figures 2-15).

Regarding claim 12-13, Block '229 and Yang '336 disclose and teach of a cardholder shaped fresnel magnifying lens as shown above, and it is inherent from Block '229 that the lens is made of polyvinyl chloride, polycarbonate, polyester or the like, this being reasonably based upon the disclosure that the lens of Block '229 is made of plastic, vinyl or other suitable promotional materials (Abstract and Sections 33-34).

Response to Arguments

Applicant's arguments with respect to claims 1-2 and 4-13 have been considered but are moot in view of the new ground(s) of rejection in view of Block '229 as shown above.

Applicant's arguments, see Remarks, filed January 17, 2006, with respect to claims 14-16, 18-21, and 23-25 have been fully considered and are persuasive. The Examiner's basis for

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allowability of independent claims 14 and 21 is set forth below. The rejection of claims 14-16, 18-21, and 23-25 has been withdrawn.

Allowable Subject Matter

Claims 14-16, 18-21 and 23-25 are allowed.

The following is an examiner's statement of reasons for allowance: none of the prior art alone or in combination disclose or teach of the claimed combination of limitations to warrant a rejection under 35 USC 102 or 103.

Specifically regarding independent claim 14, none of the prior art alone or in combination disclose or teach of a method of making a one-piece pocket size cardholder shaped fresnel magnifying lens comprising forming opposing parallel folded edges of a one-piece plastic sheet and providing fresnel contour lines on the one-piece plastic sheet, specifically wherein the step of forming the opposing parallel folded edges includes in combination: forming the one-piece plastic sheet with fresnel contour lines and tab-like extensions, applying controlled heating to the extensions, and bending the heat softened extensions to form the folded edges.

Specifically regarding independent claim 21, none of the prior art alone or in combination disclose or teach of a method of making a one-piece pocket size cardholder shaped fresnel magnifying lens comprising forming opposing parallel folded edges of a one-piece plastic sheet and providing fresnel contour lines on the one-piece plastic sheet, specifically wherein the step of forming the opposing parallel folded edges includes in combination: forming the one-piece plastic sheet with fresnel contour lines and tab-like extensions, applying controlled heating to the extensions by placing the sheet over a table having properly spaced heating elements, and bending the heat softened extensions to form the folded edges.

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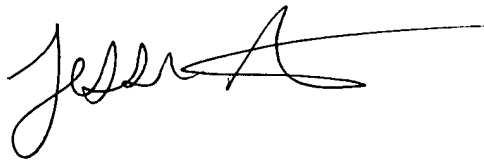
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica T. Stultz whose telephone number is (571) 272-2339. The examiner can normally be reached on M-F 8-4:30..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jessica Stultz
Patent Examiner
AU 2873
February 13, 2006



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PRIMARY EXAMINER